

### REMARKS

In the Office Action dated July 23, 2004, claim 45 was objected to; claim 42 was rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,513,015 (Ogasawara); claims 3-11, 14, 15, 18-23, 25, 27-30, 32-37, and 43-47 were rejected under § 103 over U.S. Patent No. 5,572,653 (DeTemple) in view of U.S. Patent No. 6,397,040 (Titmuss); claims 13 and 26 were rejected under § 103 over DeTemple in view of Titmuss and U.S. Patent No. 5,086,394 (Shapira); claim 16 was rejected under § 103 over DeTemple in view of Titmuss and Ogasawara; claim 17 was rejected under § 103 over DeTemple, Titmuss, Ogasawara, and U.S. Patent No. 6,237,145 (Narasimhan); and claims 39, 48, and 49 were rejected under § 103 over DeTemple in view of U.S. Patent No. 6,359,647 (Sengupta) in view of Ogasawara.

Claims 45, 50, 51, and 52 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form.<sup>1</sup>

Claim 45 has been amended to change “activation” with “activities” on line 4 to address the objection raised by the Office Action. The replacement of “purchasing activation” with “purchasing activities” in claim 45 is to correct a minor typographical error and does not change the scope of the claim.

Dependent claims 45 and 50-52 have been amended from dependent form to independent form, with the scope of each claim remaining *unchanged*, to place the claims in condition for allowance.

Independent claim 42 has been amended to recite that the controller further sends a notification to the person that the video album is available to the person. In Ogasawara, the photo log created of the customer (see columns 13-16 of Ogasawara) is used by the establishment’s staff to identify a particular customer. Ogasawara, 15:4-8, 26-30, 16:44-49. Thus, Ogasawara does not teach that a notification is sent to the customer that

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<sup>1</sup> In paragraph 7 of the Office Action, on page 5, claim 45 was indicated as being one of the claims rejected over DeTemple in view of Titmuss. Applicant notes, however, that in the following pages, no explanation was provided regarding how DeTemple and Titmuss teaches the invention of claim 45. Thus, in view of the fact that claim 45 was specifically indicated as containing allowable subject matter by the Office Action on page 13 and 14, Applicant believes that the indication of claim 45 as being rejected over DeTemple and Titmuss was a clerical error.

the photo log is available to the customer. Therefore, it is respectfully submitted that claim 42 is not anticipated by Ogasawara.

Claim 6 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. It is respectfully submitted that claim 6 is allowable over the asserted combination of DeTemple and Titmuss, in view of the statement made in the Office Action on page 14 that the cited references do not teach presenting advertising information on one of the fixed presentation devices in a facility based on user profile updated based on the purchasing activities of the user in the facility. It is respectfully submitted that neither DeTemple nor Titmuss teaches the determining of advertising information of interest to a user based on user profile updated based on retail purchasing actions of the user. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 6.

Claim 47 has been amended from dependent form into independent form, with the scope of the claim remaining *unchanged*. Claim 47 is similarly allowable over DeTemple and Titmuss.

Independent claim 39 has been amended to recite the sending of a notification to a user that the video album storing video images of the user roaming about locations in a facility is available to the user. Such a notification of the availability of a video album is not taught or suggested by Ogasawara. The other references, DeTemple and Sengupta, also fail to disclose the sending of a notification to a user that a video album is available to the user. Therefore, even if the references can be combined, the hypothetical combination of DeTemple, Sengupta, and Ogasawara does not teach or suggest all elements of the claim.

Dependent claims, including newly added dependent claims 53 and 54, are allowable for at least the same reasons as corresponding independent claims. In view of the distinction of the base claims over cited references, the obviousness rejections of the dependent claims have been overcome, including the rejection of claims 13 and 26 over DeTemple, Titmuss, and Shapira; the rejection of claim 16 over DeTemple, Titmuss, and Ogasawara; the rejection of claim 17 over DeTemple, Titmuss, Ogasawara, and Narasimhan.

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Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRR.0009US).

Respectfully submitted,

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